

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Mail Stop Amendment
)	
Matthew J. CANNON et al.)	Group Art Unit: 2616
)	
Application No.: 10/761,375)	Examiner: R. Jain
)	
Filed: January 22, 2004)	
)	
For: ADDRESS DEFINITION FOR IP)	
TELEPHONY SERVICES)	

COMMUNICATION REGARDING IMPROPER OFFICE ACTION

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants submit that the Office Action, dated August 27, 2007, which re-opened prosecution in response to the Appeal Brief, filed May 29, 2007, is improper. M.P.E.P §§ 1002.02(d) and 1207.04 requires that a Supervisory Patent Examiner approve the re-opening of prosecution after the filing of an Appeal Brief. Since the Office Action does not include an indication that a Supervisory Patent Examiner approved the re-opening of prosecution, the Office Action is improper. Examiner Jain acknowledged that the Office Action is improper in a telephone communication on November 12, 2007.

In view of the foregoing remarks, Applicants respectfully request that the Office Action, dated August 27, 2007, be withdrawn.

While the present application is believed to be in condition for allowance, should the Examiner find some issue unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, the Examiner is invited to contact the undersigned by telephone to expedite prosecution of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: November 14, 2007

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